

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA

**FILED**

AUG 20 2012

CYNTHIA L. WALKER  
Plaintiff,

Vs.

CASE No.

ROBERT D. DENNIS, CLERK  
U.S. DIST. COURT, WESTERN DIST. OF OKLA.  
BY W DEPUTY

(1) INDEPENDENT SCHOOL DISTRICT  
NUMBER I-8 OF COMANCHE COUNTY,  
OKLAHOMA, also known as the Lawton  
Public Schools;  
(2) BARRY BEAUCHAMP, Individually  
(3) BARBARA ELLIS, Individually  
(4) BILLY DAVIS, Individually

**CIV - 12 - 904 - C**

COMPLAINT

PRELIMINARY STATEMENT OF FACTS

1. This is an action authorized and instituted pursuant to the First and Fourteenth Amendments to the United States Constitution through the Civil Rights Act of 1871, at 42 U.S.C. Section 1983; Title VII of the Civil Rights Act of 1964 as amended; A.D.E.A. Act of 1967 as amended. The Plaintiff invokes this Court's; supplemental jurisdiction pursuant to 28 U.S.C.1367.
2. Plaintiff's claim arose and venue is properly laid within this District to 28 U.S.C. Section 1391(a).
3. The Plaintiff evokes the supplemental jurisdiction of this court to hear and decide claims arising under the laws of the State of Oklahoma.
4. Plaintiff, Cynthia L. Walker, is currently employed by the Defendant INDEPENDENT SCHOOL NO1-8 OF COMANCHE COUNTY, OKLAHOMA, and the Lawton Public Schools for 40 years in the current capacity of Executive Director of Technology Grant Writing.

PRELIMINARY STATEMENT OF FACTS

5. Walker was previously Executive Director of Curriculum and Instructions employed by the Lawton Public School District. Walker was demoted against her wishes.
6. Since the time that Walker was demoted, she has been given a job which has little to do with her degree. All of Walker's job responsibilities have been taken away. Walker's predecessor in this position, who is a Caucasian male, had definite job responsibilities, duties, staff and daily job functions. This Caucasian male is the Grant Writer for the District. All of Walker's job responsibilities, staff, and daily task have been taken away.
7. Walker has repeatedly, over the past 20 years, voiced her complaints about racial discrimination in the Lawton School District. As a result of her complaints, Walker has been treated to repeated daily discrimination in the form of being given the title of Executive Director for Technology Grant Writing, having to move from her office and move to an office that could fit a desk and a chair, being subjected to daily embarrassment, with the obvious purpose and true objective to make her job conditions so miserable that she would quit or retire.
8. As a result to this discriminatory treatment towards Walker, she has filed several complaints with the EEOC. She has been repeatedly retaliated against and discriminated against because of the filing of the complaint. Walker was at one time moved out of the central office administration to a portable building down a dirt road located at the District's warehouse where she will be even further humiliated and isolated from the central office.

9. Walker is continuously and daily subjected to discrimination and retaliation for her vocal stand against racial discrimination in Lawton School District and specifically her actions in trying to base decision s on racial equality.
10. Walker's work environment has become so hostile to the point the she is subjected to being screamed at an entire meeting, threatened with a transfer, having fingers pointed at her face, having files repeatedly slammed down on a table over and over while being yelled at in a frightening manner. Papers were picked up and thrown down in rage, rage that continued for 5 to 10 minutes. Walker's Math and Science program was presented to the board by a Caucasian male who took the credit for it.
11. Walker was issued a right to sue by the Equal Employment Opportunity Commission on August 31, 2012 and a copy was forwarded to the Lawton Public Schools.

#### FIRST CAUSE OF ACTION

12. The Plaintiff has been discriminated against by the Defendants because of her race, African American, because of her gender, female, age, and in retaliation for filing complaint all in violation of TitleVII of the Civil Rights Act of 1964, as amended and the A.D.E.A. Act of 1967 as amended.

Wherefore the Plaintiff prays for judgment against the Defendant INDEPENDENT SCHOOL DISTRICT NO.1-8 OF COMANCHE COUNTY, OKLAHOMA, also known as the Lawton Public Schools the Defendant BARRY BEAUCHAMP, individually; the Defendant BARBARA ELLIS, individually, and the Defendant BILLY DAVIS, individually, for actual and punitive damages in excess of Ten Thousand Dollars (10,000.00), costs, interest and attorney fees.

## SECOND CAUSE OF ACTION

13. The Plaintiff has been retaliated against by the Defendants for the exercise of protected speech, i.e., voicing opinions about the Lawton Public School District and financial improprieties within the District, filing an E.E.O.C. complaint, and submitting a truthful statement about a co-worker who has also filed an E.E.O.C. complaint against the District.

14. As a result of the Plaintiffs speech, she has been transferred to position with no duties to spend every day in an office with secretaries who did not report to her, with documents being signed by her without her knowledge and decisions allegedly being made by her about her position which did not occur, signing a truthful statement about the job performance of a black employee who filed a E.E.O.C. complaint, all in retaliation for her exercise of protected speech.

Wherefore the Plaintiff prays for judgment on her second cause of action against the Defendant INDEPENDENT SCHOOL DISTRICT NO. 1-8 OF COMANCHE COUNTY OKLAHOMA, also known as the Lawton Public Schools, the Defendant BARRY BEAUCHAMP, individually, for the actual and punitive damages in excess of Ten Thousand Dollars (10,000.00), cost, interest and attorney fees.

## THIRD CAUSE OF ACTION

15. This is a state claim arising under the laws of the state of Oklahoma for tortuous interference with a business contract; Walker invokes the court's supplemental jurisdiction pursuant to 28 U.S.C. Section 1367 to entertain this claim.

16. The Defendants Beauchamp, Ellis, and Davis, have wrongfully and tortuously interfered with Walker's employment contract with the Lawton Public School District.

17. As a result of the actions of Beauchamp, Ellis, and Davis, Walker has suffered actual damages.

Wherefore the Plaintiff prays for judgment against the defendants BARRY BEAUCHAMP, individually; BARBARA ELLIS, individually, and, BILLY DAVIS, individually, for actual punitive damages in excess of Ten Thousand Dollars (10,000.00), costs, interest and attorney fees.

#### FOURTH CAUSE OF ACTION

18. This is a state claim arising under the laws of the State of Oklahoma for the tort of intentional infliction of emotional distress or outrage. Walker invokes the court's supplemental jurisdiction of emotional distress or outrage. Walker invokes the court's supplemental jurisdiction pursuant to 28 U.S.C. 1367 to entertain this claim.

19. The Defendants Beauchamp, Ellis and Davis have engaged in actions that are so shocking to the conscience that they rise to the level of the tort of outrage, and Walker has been damaged by the concerted actions of Beauchamp, Ellis, and Davis.

Wherefore the Plaintiff prays for judgment against the Defendant BARRY BEAUCHAMP, individually; BARBARA ELLIS, individually; and BILLY DAVIS, individually, for actual and punitive damages in excess of Ten Thousand Dollars, costs, interest and attorney fees.

#### FIFTH CAUSE OF ACTION

20. This is a state claim arising under the laws of the State of Oklahoma for breach of contract. The Defendant Lawton School District has adopted policies and procedures which are contractual obligations between the District and Walker. One of the Policies adopted by the Lawton Board of Education is that the District will not discriminate against employees based upon race or gender.

21. The District has assured the State of Oklahoma, through the Department of Education, that it will not discriminate based upon race or gender.

22. The Lawton School District has violated and breached its policies and assurance statement of non-discrimination in the actions it has taken against Walker.

Wherefore the Plaintiff prays for judgment against the Defendant INDEPENDENT SCHOOL DISTRICT NO 1-8 OF COMANCHE COUNTY, OKLAHOMA, also known as Lawton Public Schools, for actual damages in excess of Ten Thousand Dollars (10,000.00), costs, interest and attorney fees.

*Jury Trial Demanded*

*Cynthia L. Walker pro se*  
Cynthia L. Walker, pro se

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